With regard to the remedy that you suggest, *viz.*, the opening of sub-jails, as was stated in this Assembly last year, the matter has been under the consideration of the Commissioner of Police. He has now sent up a recommendation, and Government hope to deal with it ere long.

I must strongly deprecate one statement in your representation about the Police, and that is that the Commissioner of Police, when such a matter is referred to him, will only consider the interests of the Police. Well, the interests of the Police are really in no way different from the interests of the people, though there may be bad Police officers whose interests are not identical with the interests of the people. In the case of the Commissioner of Police, the result of the reference itself shows that your fears are quite groundless.

17. Appointment of an Honorary Magistrate at Mundakayam under the Rubber Thefts Prevention Regulation, IX of 1087.

MR. COGHLAN (*Mundakayam Planters' Association*) said that the question had already been considered by the Government. They had felt that the appointment of an Honorary Magistrate in the Mundakayam District with powers to issue warrants of arrest and search warrants against offenders under the Rubber Thefts Prevention Regulation would facilitate the work of the Police and operate as an additional safeguard for the prompt prevention of such offences. The Government therefore decided to appoint one in consultation with the Commissioner, Devicolam, and the Mundakayam Planters' Association and even names were suggested for purposes of selection. It would appear that subsequently it was found that there were other obstacles which had to be overcome before the appointment could be effected and the matter was under the consideration of the Law Officers. The member enquired what further progress had been made in the affair and when the final decision might be expected. He pointed out that, with a possible early recovery of the rubber market, the immediate appointment of an Honorary Magistrate would be beneficial to the interests of both the European and the Indian planters.

DEWAN'S REPLY :—Mr. Coghlan, I am glad that I am able to give you a definite reply. You want to know what progress has been made in the steps which Government said they were taking in regard to the appointment of an Honorary Magistrate at Mundakayam. It has now been found that there is no way of surmounting the obstacles by the appointment of an Honorary Magistrate. The Law Officers are of the opinion that such a person will not be able to take action under the Rubber Thefts Prevention Regulation. Government are therefore contemplating the appointment of a Bench of Magistrates, which Bench will be able to take action under that Regulation and do what you expect an Honorary Magistrate to do under the Regulation.

18. Exemption from stamp duty of applications for return of account books produced in courts by merchants and the need for obtaining acknowledgments of receipt on the copies.

MR. JACOB HUSSAIN SAIT (*Trading Classes, Kayankulam*) said that the account books produced by merchants in courts were not

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promptly returned and consequently they were put to much hardship and inconvenience. Formerly when original account books produced in courts were returned, acknowledgments of receipt used to be obtained on the reverse side of copies. This system was very convenient to the merchants. But this was changed and the existing rule was to apply for copies of accounts on stamped applications. The books were returned only after formal orders were passed on the applications. This rule was causing delay in the return of books. It should be changed and the old rule adopted.

DEWAN'S REPLY: Mr. Jacob Hussain Sait, മുമ്പും കോടതിയുടെ ഉത്തരവില്ലാതെ കണക്കു തിരിയെ തരികയില്ല. മുമ്പു ഒരു മെമ്മൊറാണ്ഡം കൊടുത്താൽ മതി. ഇപ്പോഴാകട്ടെ ഒരു ഹർജി കൊടുക്കണം. ഇതുതന്നെ ഉള്ള വ്യത്യാസം. നിങ്ങൾ പ്രസ്താവിച്ചതു പോലെ വലിയ കാലതാമസം വരുന്നുണ്ടോ എന്നുള്ളതിനെപ്പറ്റി ഹൈക്കോടതിയോടു എഴുതി ചോദിച്ചു അവരുടെ അഭിപ്രായം അറിഞ്ഞു വേണ്ടതുചെയ്യാം.

Even formerly the account books were not returned without an order of court. Formerly a memo would have been sufficient; now a formal application is necessary. That is all the difference. The question whether there is abnormal delay in returning the books will be referred to the High Court and on receipt of their reply, necessary action will be taken.

19. Difficulties experienced by the public in civil courts.

Mr. R. BHAGAVATHIPERUMAL CHETTIYAR (*Trading classes, Kottar*) made the following suggestions in regard to the better working of the civil courts:—

(1) More cases than could be taken up and finished on any one day were posted for that day and consequently many of them had to be adjourned. It should be ruled that only as many cases as could be finished should be posted on any day.

(2) All the witnesses summoned on a day were not examined on that day and the examination in respect of many of them was postponed. The statements of all witnesses summoned should be obtained on the day on which they were summoned. Their attendance should taken before the court assembled and their batta paid before they were examined.

(3) Stringent orders should be issued for writing up the decrees of cases within 20 days after their decision.

(4) Within 3 days after decision of a case, the judgment should be handed over to the copyists' section and the records of the case to the records section. Orders should also be issued promptly to hand over to the records section all original documents and account books produced by parties.

(5) The diaries of daily out-turn of each clerk should be checked at the end of every week by the head ministerial officer of the court and submitted for the orders of the presiding officer. The strict carrying out of this arrangement should also be scrutinised at the time of inspection of the court.

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